

PATENT MAINTENANCE
DIVISION

Attorney Docket No. 55168-RCE 2 (70551)

2006 MAR 13 PM 4:36

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US PATENT & TRADEMARK
OFFICE

Applicant: Y. Sawada, et al.
Serial No.: 09/647,086 Group: 3625
Filing Date: September 26, 2000 Examiner: Fadok, Mark A.
For: DATA DISTRIBUTING SYSTEM AND DATA SELLING APPARATUS THEREFOR,
DATA RETRIEVING APPARATUS, DUPLICATED DATA DETECTING SYSTEM, AND
DATA REPRODUCTION APPARATUS

Mail Stop 16
COMMISSIONER OF PATENTS
P.O. Box 1450
Arlington, VA 22313-1450

REQUEST FOR REFUND
(Improper charge of Deposit Account)

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account No. 04-1105 shown on the statement dated December 2005, for the above identified

- ☒ application.
☐ patent.

(check the following, if desired, and supply copy of statement)

- ☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

CERTIFICATE OF EXPRESS MAILING (37 CFR 1.10)

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to addressee" service under 37 CFR 1.10 (Express Mail Label No. EV 754870239 US), and is addressed to Mail Stop: 16, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 9, 2006.


Kathryn A. Grindrod

II. FEES CHARGED FOR WHICH REFUND REQUESTED

**AMOUNT OF REFUND
REQUESTED**

- ☐ filing fee
- ☐ surcharge for filing the basic filing fee on a date later than the
filing date of the application (37 CFR 1.16(e))
- ☐ surcharge for filing the oath or declaration on a date later than the
filing date of the application (37 CFR 1.16(e))
- ☐ extension of term
 - ☐ first month
 - ☐ second month
 - ☒ third month \$420.00
 - ☐ fourth month
- ☐ excess claims
- ☐ issue fee
- ☐ petition fee
- ☐ patent maintenance fee
 - ☐ first maintenance fee
 - ☐ second maintenance fee
 - ☐ third maintenance fee
- ☐ patent maintenance fee surcharge
- ☐ other
 - ☐ priority document fee
 - ☐ designation fee per country (PCT)

TOTAL REFUND REQUESTED \$420.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

- ☐ Applicants filed a Response to Office Action on along with a check in the amount of which was cashed by the U.S. Patent Office (copy of cancelled check enclosed).
- ☐ Examiner contacted, attorney of record on , to ask if a response was filed. Faxed a copy of the previously filed response on , to Examiner.
- ☐ Our Deposit Account No. 04-1105 was charged for a Month Extension of Time (copy of monthly statement enclosed).
- ☒ Applicants believe that the amount charged to Deposit Account No. 04-1105 on 27 December 2005 (i.e., \$1020.00) is incorrect and a refund is requested in the amount of \$450.00. Specifically, Applicants filed a Request for Continued Examination in the above-identified application on 21 December 2005 along with a Request for a Three Month Extension of Time specifying the fee in the amount of \$1020.00 (copy enclosed) inadvertently forgetting that they previously had filed an Amendment After Final Rejection along with a Request for a Two Month Extension of Time specifying a fee in the amount of \$450.00 on 22 November 2005 (copy enclosed). Hence, the correct charge for the Request for a Three Month Extension of Time filed on 21 December 2005 should have been \$570.00 rather than \$1020.00. A refund in the amount of \$450.00, therefore, is respectfully requested.

IV. MANNER OF REFUND

Please make refund by

- ☒ crediting Account No. 04-1105
- ☐ refunding payment.

Date: March 9, 2006

Reg. No. 27,840

Tel. No. (617) 517-5508

Customer No. 21874

534301

David A. Tucker
SIGNATURE OF PRACTITIONER

David A. Tucker
(type or print name of practitioner)
Attorney for Applicant

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P.O. Address

Boston, MA 02205

COPY PTO/SB/22 (12-04)
Approved for use through 7/31/2006. OMB 0651-0031
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Attorney Docket No.: 55168-RCE 2 (70551)

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. **EV 754870239 US** in an envelope addressed to:

on March 9, 2006
Date

Signature

Typed or printed name of person signing Certificate

(617) 517-5534
Telephone Number

Return Receipt Postcard

DEC 22 2005
PATENT & TRADEMARK OFFICE

PTO/SB/22 (12-04)
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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) 55168-RCE 2 (70551)	
Application Number 09/847,088-Conf. #4078		Filed September 26, 2000	
For DATA DISTRIBUTING SYSTEM AND DATA SELLING APPARATUS THEREFOR, DATA RETRIEVING APPARATUS, DUPLICATED DATA DETECTING SYSTEM, AND DATA REPRODUCTION APPARATUS			
Art Unit 3625		Examiner Fadok, Mark A.	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
		<u>Fee</u>	<u>Small Entity Fee</u>
<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$120	\$60 \$
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$450	\$225 \$
<input checked="" type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$1020	\$510 \$ 1,020.00
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1590	\$795 \$
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$2160	\$1080 \$
<input type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/>	A check in the amount of the fee is enclosed.		
<input type="checkbox"/>	Payment by credit card. Form PTO-2038 is attached.		
<input checked="" type="checkbox"/>	The Director has already been authorized to charge fees in this application to a Deposit Account.		
<input checked="" type="checkbox"/>	The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 04-1105 I have enclosed a duplicate copy of this sheet.		
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input type="checkbox"/> attorney or agent of record. Registration Number _____			
<input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 27,840			
_____ Signature		December 21, 2005 Date	
David A. Tucker Typed or printed name		(617) 517-5508 Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of 1 forms are submitted.			

2/27/2005 SSESHE1 00000084 041105 09647086

2 FC:1253 1020.00 DA

Adjustment Date: 03/30/2006 SDIRETA1
12/27/2005 SSESHE1 00000084 041105 09647086
02 FC:1253 1020.00 CR

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